HON'BLE SRI JUSTICE A. GOPAL REDDY

WRIT PETITION NO.28572 OF 1995

DATE:07.03.2007

Between:

Y. Rambabu & others

..... PETITIONERS

AND

The University of Health Sciences, rep.
By its Registrar, Vijayawada & 2 others.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY

W.P. No.28572 OF 1995

ORDER:

This Writ Petition is filed seeking a direction to the respondents to regularize/absorb/appoint the petitioners in the

sanctioned posts from the date of initial appointment or at least from the date of G.O.Ms.No.104 and to pay salary in the regular scale of pay attached to their respective posts.

This Court already disposed of this Writ Petition along with W.P.No.29343 of 1995 by common judgment dated 31.7.1996 directing the Government to permit the regularization of the petitioners by the respondent-University in appropriate posts out of 52 sanctioned posts. Questioning the correctness of the said judgment, Government preferred appeals in W.A.Nos.75 and 76 of 1998 and the same were disposed of by a Division Bench of this Court on 27.7.1998 setting aside the common judgment passed in the writ petitions. In the said writ appeals, the Department of Finance and Planning, Government of A.P. was given liberty to file an affidavit within a period of two weeks from the date of order and rejoinder, if any, thereto within a further period of ten days and the matter was directed to be disposed of afresh. Pursuant to the said orders, this writ petition is posted for hearing.

When the writ petition is taken up for hearing, it is brought to my notice that against the orders passed by the Division Bench of this Court in W.A.Nos.75 and 76 of 1998, the writ petitioners carried the matter before the Hon'ble Supreme Court in Civil Appeal Nos.82 and 83 of 1999. The Hon'ble Supreme Court disposed of the said appeals on 11.1.1999 setting aside the order passed by the Division Bench in W.A.Nos.75 and 76 of 1998 and upholding the common judgment passed by the learned single Judge in W.P.Nos.29343 and 28572 of 1995 subject to the modification that the other conditions laid down in G.O.Ms.No.212, dated 22.4.1994 issued by the Special Secretary to Government of A.P. (Finance and Planning (FW.PC.III) Department will have to be satisfied for the purpose of regularization.

Inasmuch as the Apex Court has upheld the common judgment of the learned single Judge of this Court passed in W.P.Nos.29343 of 1995 with the modifications as referred to above, no

orders need to be passed in this Writ Petition.

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A. GOPAL REDDY, J

07th MARCH, 2007.
Tsr